

DOCKET NO: 291501US2PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

:

STEPHANE GETIN, ET AL.

: EXAMINER: OMAR R. ROJAS

SERIAL NO: 10/581,483

:

FILED: JUNE 2, 2006

: GROUP ART UNIT: 2874

FOR: PARTICLE CONCENTRATION
METHOD

:

RESTRICTION RESPONSE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313

SIR:

In response to the Restriction Requirement dated July 17, 2007, Applicants elect with traverse Claims 17-30, drawn to a method of concentrating particles. Applicants make this election based on the understanding that Applicants are not prejudiced against filing one or more divisional applications that cover the non-elected claims.

In addition to making this election, Applicants respectfully traverse this Restriction Requirement for the reason that MPEP § 803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

The claims of the present invention would appear to be part of an overlapping search area. Accordingly, Applicants respectfully traverse the Restriction Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner, whereas it would clearly be burdensome on Applicants to be required to file, prosecute and maintain separate applications and patents on the identified.

Application No. 10/581,483
Reply to Office Action of July 17, 2007

Accordingly, it is respectfully requested that a full examination on the merits of
Claims 17-32 be conducted

Respectfully submitted,

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